

BEFORE THE NATIONAL LABOR RELATIONS BOARD
UNITED STATES OF AMERICA
REGION 19

COMMUNITY HEALTH CENTER LA
CLINICA

Employer

and

Case 19-RC-14551

UNITED STAFF NURSES UNION,
UFCW LOCAL 141, UNITED FOOD &
COMMERCIAL WORKERS
INTERNATIONAL UNION, AFL-CIO

Petitioner

ERRATA

On October 29, 2004, I issued a Decision and Direction of Election (D&DE) in this matter. In response to my D&DE, the Employer filed a Motion for Reconsideration. In that Motion, the Employer requests that I “correct three manifest errors” in my D&DE. Those three errors concern: 1) the status of George Vargas; 2) the language of the appropriate unit description, which covers all professional employees working at the Employer’s two locations that are involved in this proceeding; and 3) the correct address of one of those two locations. Petitioner telephonically notified the Region on this date, that it does not oppose the Employer’s Motion.

With respect to George Vargas, in my D&DE, I found Vargas to be a supervisor based on a portion of the transcript where it appeared that the parties stipulated to exclude Vargas and other individuals from the unit inasmuch as Vargas and the others possess indicia of supervisory authority as that term is defined in Section 2(11) of the Act. However, the Employer maintains that the transcript is in error as it relates to Vargas’ inclusion in that stipulation. In particular, while the Employer contends that Vargas is a supervisor who should be excluded from the unit, the Employer agrees that Petitioner did not wish to exclude Vargas from the unit based on his alleged supervisory authority. Based on the record in this case, I am unable to determine the status of Vargas. Accordingly, I shall permit George Vargas to vote, subject to challenge.

Regarding the second item, the Employer contends that other professional employees, as that term is defined by Section 2(12) of the Act, apparently work at one

or both of the two facilities covered by the unit description set forth in the D&DE. While the parties did not make such clear at the hearing in this case, I have modified the unit description, as set forth below, to reflect that other 2(12) professional employees may work at one or both of the two facilities covered by the unit description.

With respect to the third item, the Employer maintains the correct address of its Pasco facility is 515 (not 525) West Court Street. Accordingly, I shall correct the appropriate unit description in my D&DE to reflect the correct address of the Pasco facility.

In view of the modification and correction noted above, the appropriate unit description is hereby modified and corrected to read as follows:

All regular full-time, part-time and per diem¹ medical doctors, clinical leads and/or clinical chairs, registered nurses, registered nurse leads, physician assistants, nurse practitioners, nurse midwives, behavioral health specialists, registered dietitians and the Kennewick Lead, employed at the Employer's Kennewick medical facility located at 5219 West Clearwater, Suite No. 6, Kennewick, Washington, and employed at the Employer's Pasco medical facility located at 515 West Court Street, Pasco, Washington; excluding all other employees, managers, guards and supervisors as defined in the Act.

DATED at Seattle, Washington, this 9th day of November 2004.

Richard L. Ahearn, Regional Director
National Labor Relations Board, Region 19
2948 Jackson Federal Building
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Seattle, Washington 98174

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The parties stipulated to the inclusion of the professional per diems in the Unit.